



**REGULAR MEETING OF THE CITY COUNCIL AND THE CITY COUNCIL SERVING AS THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD AND AS
CATHEDRAL CITY CS ZONE A SPECIAL DISTRICT**

**CLOSED SESSION MEETING BEGINS AT 4:00 p.m.
IN THE CITY HALL STUDY SESSION ROOM
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, DECEMBER 12, 2012

**Closed Session at 4:00 p.m., followed by Study Session at approximately 5:00 p.m. or at
such time as the City Council completes the Closed Session Agenda
and Regular Meeting at 6:30 p.m. in Third Floor Council Chambers**

CALL TO ORDER

ROLL CALL

- a) Roll call of City Council Members
- b) Action to excuse absent City Council Board Member(s)

CLOSED SESSION PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter that is listed on this Closed Session agenda. Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes.***

*In response to any public comment on an item or matter **on this Closed Session agenda**, pursuant to Government Code Section 54954.2, members of the City Council may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954).*

SUMMARY OF CLOSED SESSION ITEMS

City Attorney will read a summary of Closed Session items into the record.

AGENDA APPROVAL

THE CITY COUNCIL WILL MOVE TO CLOSED SESSION

CLOSED SESSION AGENDA

A. CITY COUNCIL AS SUCCESSOR AGENCY

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (T. Scott)**
Property Location Parcel Map 32932 Parcel 1, East of Van Fleet Avenue, south of East Palm Canyon
Negotiating Parties Cathedral City Redevelopment Agency and City Urban Revitalization Corporation
Property Owners City Urban Revitalization Corporation
Under Negotiations Property Negotiations

B. CITY COUNCIL:

2. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) (C. Green)**
Case name: The Grass Hopper Inc. v. City of Cathedral City
Case No.: Case No. RIC1212146
Court: California Superior Court for the County of Riverside
3. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) (C. Green)**
Case name: City of Cathedral City v. The Grass Hopper Inc., *et. al*
Case No.: INC1206440
Court: California Superior Court for the County of Riverside
4. **CITY COUNCIL – CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION** item Pursuant to Government Code Section § 54956.9 subd. (c). **(C. Green)**
No. Potential Cases: 3
5. **CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6**
Agency Donald E. Bradley, City Manager
Negotiator
Represented
Employees 1) Cathedral City Police Officers Association (CCPOA)
6. **PUBLIC EMPLOYMENT Government Code Section 54957**
Title City Manager

RECESS

Following the Closed Session meeting, the Council will convene to the Council Chamber on the third floor for the Study Session and Regular Meeting.



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**Council Chamber -- Third Floor of City Hall
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

**STUDY SESSION
DECEMBER 12, 2012, at approximately 5:00 p.m.
or at such time as the City Council completes the Closed Session Agenda.**

STUDY SESSION

CALL TO ORDER

ROLL CALL

PRESENTATION OF COLORS

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

CATHEDRAL CITY HIGH SCHOOL STUDENT REPORTS

NONE

PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter not listed on the agenda or any item on the Study Session agenda. Please complete a **'Request to Speak' form** and **limit your comments to three minutes**. When you are called to speak, please come forward and state your name and city of residence for the record.*

*In response to any public comment on an item or matter **not on this agenda**, pursuant to Government Code Section 54954.2, members of the City Council may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954). Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes**.*

STUDY SESSION AGENDA

Normally, no action is taken on Study Session items; however, the City Council reserves the right to give specific policy direction and take specific action as necessary. Presentations will be limited to 10 minutes unless other provisions are made in advance.

1. Discussion of proposed Shorty's Ribfest Cathedral City, February 21-23, 2012, Town Square, to be sponsored by Desert Radio Group. **(A. Hall)**

2. Discussion of:

(1) Review and amend Council Policies and Procedures/Rules of Conduct.

Specifically:

- a. Council's right to "advise and consent" on the hiring of Department Heads.
- b. Process of assigning Council Members to internal and external Committees.
- c. Council Member directives to members of staff below the level of City Manager.
- d. Council Member participation in Commission meetings.
- e. Practice of Mayor's review with City Manager of agendas prior to Council Meetings.

(2) Review and amend/approve committee assignments for internal and external committees. **(Council Member Toles) (Pg. 1-70)**

3. Discussion of filling vacancies on Mobile Home Fair Practices Commission.
(P. Hammers/A. Hall)

4. City Council/Staff reports and inquiries of new or ongoing projects.

RECESS



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**Council Chamber -- Third Floor of City Hall
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

**WEDNESDAY, DECEMBER 12, 2012
6:30 p.m.**

CALL TO ORDER

PRESENTATIONS AND PROCLAMATIONS

CLOSED SESSION ANNOUNCEMENTS

PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter not listed on the agenda or any item on the Consent Agenda. Please complete a **'Request to Speak' form** and **limit your comments to three minutes**. When you are called to speak, please come forward and state your name and city of residence for the record.*

*In response to any public comment on an item or matter **not on this agenda**, pursuant to Government Code Section 54954.2, members of the City Council may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954). Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes**.*

AGENDA FINALIZATION

At this time, the City Council may announce any items being pulled from the agenda or continued to another date.

URGENCY ITEMS

Urgency Items ("Added Starters"): The Brown Act, which governs public meetings, permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the Council (if all are present) or all members of the Council (if fewer than all members are present) determine there is a need to take immediate action on the item, and the need to take immediate action came to the City Council's attention after the agenda is posted.

COUNCIL COMMENTS

Council Members' comments on items not on the agenda.

COMMITTEE ASSIGNMENTS

See last page of Agenda Book

MINUTES

NONE

CONSENT AGENDA

All matters on the Consent Agenda are considered routine in nature and are expected to be enacted by one motion. Members of the public may comment on any item on the consent agenda. However, Council Members will not discuss individual items among themselves unless those items are pulled off the Consent Agenda by a Council Member.

A. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD:

1. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD. Receive and File payment of Claims and Demands in the aggregate sum of \$3,725,325 for the month of December 2012. **(T. Scott) (pg. 1-2)**

2. COUNCIL. Second reading and adoption of an Ordinance, reading by title only, to amend the Provisions of Chapter 3.24 to Title 3 of the Cathedral City Municipal Code, Transient Occupancy Taxes of the Cathedral City Municipal Code to further regulate vacation rental units which were already subject to the Transient Occupancy Tax. The motion is to adopt the ordinance and read by title only. **(A. Hall) (Pg. 3-23)**

3. COUNCIL. Approve the award of a Contract with the Fair Housing Council of Riverside County through use of CDBG funds in the amount of \$12,000. **(A. Hall) (Pg. 24-51)**

4. COUNCIL. Confirm reappointment of Gary Howell to a four-year term, from January 1, 2013 through December 31, 2016, on the Coachella Valley Mosquito and Vector Control District Board of Directors. **(K. DeRosa) (Pg. 52)**

5. COUNCIL. Approve Final Acceptance of the Pavement Rehabilitation Improvements to East Palm Canyon Drive, Palo Verde Drive, G Street, Tahquitz Road and Kings Road ; Authorize the City Manager to File a Notice of Completion with the Riverside County Records' office; and Authorize the Release of City Held Retention Funds to Hardy & Harper, Inc. **(B. Simons) (Pg. 53-55)**

6. COUNCIL. Approve **a)** Final Acceptance of the Sunline Transit Stop Relocation Improvement; **b)** authorize the City Manager to File a Notice of Completion with the Riverside County Records' office; and, **c)** authorize the Release of City Held Retention Funds to Westcon Construction Group, Inc. **(B. Simons) (Pg. 56-58)**

7. COUNCIL. Authorize the City Engineer to advertise for bids to construct the improvements to Date Palm Drive North of the Vista Chino Intersection. **(B. Simons) (Pg.59)**

8. COUNCIL. Authorize approval to enter into an agreement by and between the City of Cathedral City and David Leonard Associates (DLA) for DLA to provide professional planning consulting services for private development applications associated with the North City Extended Specific Plan with the cost of all services provided to be reimbursed by the respective private developer(s) and to authorize City Manager to enter into said agreement. **(L. Lukes) (Pg. 60-82)**

9. COUNCIL. Receive report of intended travel from Councilmember Stan Henry to Sacramento, CA, New Mayors & Council Members Academy, January 16 -18, 2013.

10. COUNCIL. Approval of Shorty's Ribfest Cathedral City event, February 21-23, 2012, in Town Square, sponsored by Desert Radio Group. **(A. Hall) (Separate Cover)**

MOTION FOR CONSENT AGENDA

PUBLIC HEARINGS

11. COUNCIL. Consider adopting an Urgency Interim Ordinance of the City Council of the City of Cathedral City pursuant to California Government Code Section 65858 adopting a Moratorium on Issuance of any permit(s) for any permitted use in the neighborhood Business Park District which allows or has on-site or off-site alcohol sales or consumption. **(A. Hall) (Pg. 83-90)**

- a. Report by Andy Hall, Community Development Director
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Motion to adopt and read by title only.

LEGISLATIVE ACTIONS

12. COUNCIL. Consider approval of proposed contract with AEU Media of the 2013 Interfusion Music Summit. **(A. Howe) (Pg. 91-92)**

- a. Report by Allen Howe, Assistant to City Manager
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Approve

13. COUNCIL. Consider approving proposal from Film 4 Change to hold a film festival in Cathedral City and request sponsorship of the event to be held in June 2013 at the Mary Pickford Theater and Desert IMAX Theater. **(A. Hall) (Pg. 93-106)**

- a. Report by Andy Hall, Community Development Director
- b. Public Comment
- c. Recommendation: Approve

14. COUNCIL. Consider adoption of three (3) Resolutions reflecting Amendments to the Contract with the Public Employees Retirement System for Represented and Non-Represented Employees and Elected Officials. **(T. Scott) (Pg. 107-112)**

- a. Report by Tami Scott, Administrative Services Director
- b. Public Comment
- c. Recommendation: Adopt

15. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD. Consider approval of a construction contract and authorize the City Manager to sign for the construction of irrigation and landscaping the medians on Ramon Road between Date Palm Drive and Da Vall Drive. **(A. Hall) (Pg. 113-114)**

- a. Report by Andy Hall, Community Development Director
- b. Public Comment
- c. Recommendation: Approve

16. COUNCIL. Consider First Reading and Introduction of an Ordinance, reading by title only, to amend the Cathedral City Municipal Code, Section 8.24 intended to bring the Municipal Code into compliance with new Statewide Floodplain Management Regulations. **(B. Simons) (Pg.115-146)**

- a. Report by Andy Hall, Community Development Director
- b. Public Comment
- c. Recommendation: Motion to introduce ordinance, read by title only, and waive further reading of said ordinance.

17. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD/CS ZONE A SPECIAL DISTRICT. Consider approving updated appointment(s) to the Oversight Board for the Successor Agency to the Redevelopment Agency of the City of Cathedral City. **(T. Scott) (Pg. 147)**

- a. Report by Tami Scott, Administrative Services Director
- b. Public Comment
- c. Recommendation: Approve

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS

ADJOURNMENT

NOTES TO THE PUBLIC

Please remember: City Hall is closed for lunch 11:45am to 1:15pm. We are closed every Friday.

DUE TO EMPLOYEE FURLOUGHS CAUSED BY BUDGET CUTBACKS, CITY HALL WILL BE CLOSED MONDAY, DECEMBER 24, THROUGH THURSDAY, DECEMBER 27, 2012.

The City Council Meeting of December 28, 2012 HAS BEEN CANCELLED due to Holiday Scheduling.

Agendas for Council meetings are posted at City Hall at least 72 hours before the meeting and on the Cathedral City Web site, www.cathedralcity.gov. The agenda is available for public inspection in the City Hall lobby or the City Clerk's office the Monday preceding the meeting. Any document or writing that relates to an agenda item on the open session of a City Council meeting that is not distributed at least 72 hours prior to the meeting is also available for public inspection in the City Hall lobby or the City Clerk's office.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office at (760)770-0385. Assisted-listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Notification at least 48 hours prior to the meeting or the time when services are needed will assist city staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.